

REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

- Group I: Claims 1, 4, 5, 14-22, drawn to methods of purifying crude and >90% pure difructose dianhydride III (DFA III) solutions using active carbon;
- Group II: Claim 6, drawn to methods of purifying DFA III chromatographically;
- Group III: Claim 13, drawn to methods of purifying a DFA III by centrifugation of a syrup;
- Group IV: Claim 23, drawn to the composition consisting of >95% purity DFA III crystals;
- Group V: Claims 24-26, drawn to a process of making a DFA III solution;
- Group VI: Claims 30-33, drawn to a process of purifying a <70% pure DFA III solution by the action of yeast, defecation-filtration, and/or chromatography;
- Group VII: Claims 35-41, drawn to a method of making a fructosyltransferase comprising microbial enzymatic production in an insulin medium; and
- Group VIII: Claim 42, drawn to a biologically pure *Arthrobacter sp.* culture.

Applicants hereby elect Group VI, Claims 30-33, drawn to a process of purifying a <70% pure DFA III solution by the action of yeast, defecation-filtration, and/or chromatography, with traverse on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups. Also, it has not been shown that a burden exists in searching the claims of the eight groups.

Moreover, the M.P.E.P. at § 803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it

on the merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all of the claims would not impose a serious burden on the Office.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

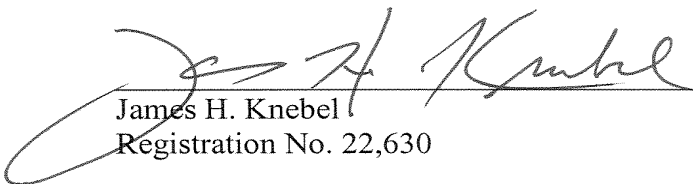
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